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7
8 UNITED STATES BANKRUPTCY COURT
9 NORTHERN DISTRICT OF CALIFORNIA
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11 In Re:

12 Lionel Caron &
13 Sandra Caron,

14 Debtor.

Chapter 7

Bankruptcy No. 08-32075 TC

Adversary Case No. 09-03010

MOTION TO AMEND DISMISSAL OF
ADVERSARY PROCEEDING

16 FIA Card Services, N.A. (f.k.a. MBNA America
Bank, N.A.)

17 Plaintiff,

18 vs.

19 Lionel Caron,

20 Defendant.

DATE: 4/23/2009

TIME: 10:00 AM

CTRM: 23

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22 Plaintiff FIA Card Services, N.A. (f.k.a. MBNA America Bank, N.A.) requests that the above-
23 captioned adversary proceeding be dismissed pursuant to Federal Rules of Civil Procedure 41 and
24 Federal Rules of Bankruptcy Procedure 7041 with prejudice.

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1 No consideration has been paid or promised by or on behalf of Debtor/ Defendant Lionel Caron
2 in exchange for the dismissal of this adversary proceeding for account number XXXXXXXXX1799.

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4 Dated: April 8, 2009

Weinstein & Riley, P.S.

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8 /S/ Jerome A. Yelsky_____
9 Jerome A. Yelsky, Of Counsel
10 Attorneys for Plaintiff
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PROOF OF SERVICE BY MAIL

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

I am a resident and employed in the County of Los Angeles, State of California and am over the age of eighteen years and not a party to the within action. My business address is 12100 Wilshire Boulevard, Suite 1100, Los Angeles, CA 90025.

On April 8, 2009, I served the foregoing **NOTICE OF DISMISSAL OF ADVERSARY PROCEEDING** in this action by placing a true copy thereof, enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Los Angeles, California, addressed as follows:

Lionel Caron
1506 Oak St
San Mateo, CA 94402

James F Beiden
Attorney At Law
840 Hinckley Rd #245
Burlingame, CA 94010

I caused such envelope with postage thereon fully prepaid to be placed in the United States mail at Los Angeles, California.

I declare under penalty of perjury under the law of the State of California, that the foregoing is true and correct.

Executed on __4/8/09_____, at Los Angeles, California.

/S/ Heidy Valdes
Heidy Valdes